

DECLARATION AND POWER OF ATTORNEY FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

APPARATUS, SYSTEM, AND METHOD FOR TRANSACTIONAL PEER RECOVERY IN A DATA SHARING CLUSTERING COMPUTER SYSTEM

the specification of which (check one)

X is attached hereto.

_____ was filed on _____ as United States Application Number or PCT International Application Number. _____

and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or (f), or Section 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s):

Number	Country	Day/Month/Year Filed	Priority NOT Claimed	Certified Copy Attached?	
				YES	NO
None					

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

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Full name of sole or first joint-inventor: **Ronald Edward Bretschneider**

Inventor's signature: *Ronald Edward Bretschneider* Date: *Mar 15, 2004*

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DECLARATION AND POWER OF ATTORNEY FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)

Full name of third joint-inventor: **William Stuart Edwards**

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Full name of fourth joint-inventor: **Ruth Leslie Ferziger**

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Full name of fifth joint-inventor: **Peter Verl Gibson**

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DECLARATION AND POWER OF ATTORNEY FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)

Full name of sixth joint-inventor: **Lyle LeRoy Merithew Jr.**

Inventor's signature: *Lyle LeRoy Merithew Jr.* Date: *4/2/2004*

Residence: **416 Colfax Drive, San Jose, California 95123**

Citizenship: **United States of America**

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